

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: George M. Whitesides et al.  
Serial No.: 10/776,427  
Confirmation No.: 4054  
Filed: February 11, 2004  
For: METHODS OF ETCHING ARTICLES VIA MICROCONTACT  
PRINTING  
Examiner: T. Dicus  
Art Unit: 1794

Certificate of Electronic Filing Under 37 CFR 1.8  
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: September 10, 2009

Signature: 

**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

In response to the Final Office Action mailed March 10, 2009, Applicants hereby request Panel Review. Claims 3-15, 55-59, and 69-75 are pending for examination.

**Rejection of Claims 3-15, 55-59, and 69 under 35 U.S.C. §102(b)**

Claims 3-15, 55-59, and 69 was rejected under 35 U.S.C. §102(b) as being anticipated by Schnur, *et al.* (U.S. Patent No. 5,079,600) (“Schnur”).

Independent claims 3, 55, and 69 each recite “an article comprising a substrate and a layer of palladium metal on the substrate defining a surface; and an isolated region of a self-assembled monolayer of a first molecular species on at least a portion of the surface...” It is not seen where Schnur teaches or suggests a surface defined by a layer of palladium metal, onto which a self-assembled monolayer is applied.

Instead, Schnur discloses a substrate, a layer of functional groups on the substrate, and palladium on the functional groups; the claims, in contrast, recite a self-assembled monolayer *on the palladium*. Thus, the rejection of the claims on this grounds by the examiner is factually deficient, as Schnur nowhere teaches such a concept, as is required under §102(b). Accordingly, Schnur does

not teach an article comprising a substrate, a layer of palladium metal on the substrate defining a surface, and a self-assembled monolayer on at least a portion of the palladium surface.

Thus, Schnur does not teach or suggest claims 3-15, 55-59, and 69, and withdrawal of the rejection of the claims on this ground is respectfully requested.

#### **Rejection of Claims 70-75 under 35 U.S.C. §103(a)**

Claims 70-75 have been rejected under 35 U.S.C. §103(a) over Schnur in view of Clark et al. (U.S. Patent No. 4,728,591) ("Clark").

For the reasons noted above, independent claim 69 is believed to be patentable over Schnur. Since claims 70-75 each depend, directly or indirectly, from independent claim 69, claims 70-75 should also be patentable over Schnur for at least the above-described reasons. It is not seen how the teachings of Clark cure the deficiencies of Schnur. Clark nowhere discloses or suggests palladium metal. Thus, claims 70-75 are patentable over Schnur in view of Clark.

#### **CONCLUSION**

Applicants respectfully request consideration of the above request and a favorable decision by the Panel. If there are any questions, the Panel is requested to call the undersigned at the telephone number listed below. If this request is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge our Deposit Account No. 23/2825, under Order No. H0498.70079US01 from which the undersigned is authorized to draw.

Dated: September 10, 2009

Respectfully submitted,

By  \_\_\_\_\_  
Tani Chen, Sc.D.

Registration No.: 52,728

Timothy J. Oyer, Ph.D.

Registration No.: 36,628

WOLF, GREENFIELD & SACKS, P.C.

Federal Reserve Plaza

600 Atlantic Avenue

Boston, Massachusetts 02210-2206

617.646.8000